BEFORE THE

Federal Communications Commission

WASHINGTON, D.C. 20554

ORIGINAL

In the Matter of	)	
	)	
Administration of the	)	**CC Docket No. 92-237**
North American Numbering Plan	)	**Phases One and Two**

TO: The Commission

COMMENTS OF THE AMERICAN PETROLEUM INSTITUTE

The American Petroleum Institute ("API"), by its attorneys, hereby respectfully submits these Comments in response to the Notice of Proposed Rule Making ("Notice") adopted by the Federal Communications Commission ("Commission") on March 30, 1994, in the above-styled proceeding.1/

I. PRELIMINARY STATEMENT

API is a national trade association representing approximately 300 companies involved in all phases of the petroleum and natural gas industries, including exploration, production, refining, marketing, and transportation of

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1/ Administration of the North American Numbering Plan, Notice of Proposed Rulemaking, (CC Docket No. 92-237), 59 Fed. Reg. 24103 (May 10, 1994).

petroleum, petroleum products and natural gas. Among its many activities, API acts on behalf of its members as spokesperson before federal and state regulatory agencies. The API Telecommunications Committee is one of the standing committees of the organization's Information Systems Committee. The Telecommunications Committee evaluates and develops responses to state and federal proposals affecting telecommunications facilities used in the oil and gas industries.

These Comments address two issues raised in the Notice and highlight two other matters related to the North American Numbering Plan ("NANP"). API member companies use private branch exchange ("PBX") systems at multiple locations in the United States and throughout the world. These companies support proposals that maximize uniformity, efficiency and interoperability in the operation of these telephone systems.

II. DISCUSSION

A. The Digit "1" Should be the Uniform Toll Call Identifier.

The Commission is urged to implement the digit "1" as the uniform toll call identifier, as previously proposed in this proceeding.2/ The Commission should use this proceeding to break from past practice and move toward a uniform toll calling practice. As the Commission notes, the user community

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2/ Notice ¶43. See also, Administration of the North American Numbering Plan, Notice of Inquiry, CC Docket No. 92-237, FCC Rcd. 6837 (1992); Ad Hoc, Comments, pp. 18-20.

strongly endorses this approach.3/ In API's view, there are two compelling reasons for a standard toll call identifier. The first is that a uniform digit "1" toll call identifier will facilitate use of the network by all users. The matter of how all users access the network to complete a toll call should be standardized; it occurs regularly. A standard toll call identifier makes particular sense for such a mobile society as the United States. Divergent regional or local tolls can only undermine, or at least make more difficult, use of the network.

The second reason is keyed to PBX management and common sense. Many companies restrict long distance calling from workplace telephones. Toll restriction is an effective telecommunications cost management tool. With a digit "1" toll identifier, toll restriction is simplified. PBX software can be modified by a direct, relatively easy set of instructions if a digit "1" toll call identifier is in place. The efficiency gains are compounded by the number of sites having a similar PBX. Another simple set of instructions can be used to limit international calls. An incidental benefit of a standard toll call identifier is that "baseline" toll fraud prevention by PBX users is simplified.

3/ Notice, ¶ 43, note 66.

In the absence of a standard toll call identifier, PBX software must be capable of "reading" each restricted area code. The software changes required to accomplish toll restriction in a non-uniform environment are necessarily more complicated because of the multiple number recognition sequences, as compared to the software modification required to implement toll restriction based on a uniform toll call identifier. Further, as new area codes are introduced, PBX software must be modified further to restrict toll calling to the new area codes.

The "hidden costs" of paying third-party PBX maintenance organizations or overhead costs for company staff to make PBX software changes can be significant. Relatedly, a standard toll call identifier preserves the utility of many in-place PBXs. Many existing systems do not have adequate memory to store the growing number of area codes. Toll restriction based on a digit "1" toll call identifier has a negligible impact on available memory. The Commission should not promote needless product obsolescence.4/

4/ API is troubled by the Commission's factually accurate, but somewhat cavalier treatment of this issue in its recent release, "FACT SHEET, Future Changes in Telephone Numbering," May 1994, FCC News Release, No. 43219 (released May 26, 1994)." Without any apparent understanding of the technological limits and effects or the costs, the Fact Sheet simply states: "PBXs or other switches that have been programmed to block toll calls based on the use of "1" as a toll indicator will need to be altered." Id. at p. 2.

B. Other Issues.

The second item of interest raised in the Notice pertains to interstate intraLATA toll calls. API agrees with the Commission that the LECs do enjoy an "apparent windfall" in equal access areas where interstate, intraLATA "1+" MTS calling is possible and the LEC is not required to route the call to the end user's preselected carrier.5/ This is unnecessary and without apparent justification, particularly as many states are moving toward intraLATA toll competition. The Commission's procompetitive policies should extend fully to all interstate communications.

The first of two matters related to the NANP, but not expressly raised in the Notice, is that the introduction of new area codes could operate more efficiently. In the last several years, as new codes have been deployed, customers served by new area codes were surprised to discover that some other LECs failed to modify timely their systems to recognize the new area codes. Problems persisted beyond several weeks in some instances. Critical communications were not delivered. While additional regulation is not necessarily warranted, the Commission should be aware that there is room

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5/ Notice at ¶57, fn. 94.

for significant improvement on the part of the LECs.6/ This is particularly true as the number of area codes increases.

The second related subject is the international "free calling" proposal being advocated by Great Britain and France. These countries are proposing a fourth digit in addition to the three-digit "800" prefix. This proposal could limit the utility of in-place and otherwise functional PBXs. It is also far preferable for multinational firms that "free" international (inbound) calling be as uniform as feasible. In this instance, there is a decided preference for retaining the U.S. standard of three digits. API urges the Commission to consider international developments impacting domestic telecommunications, technical standards and practices in its deliberations on the NANP.

WHEREFORE, THE PREMISES CONSIDERED, the American Petroleum Institute respectfully requests that the Federal Communications Commission adopt the digit "1" as the uniform toll call identifier and take other action in a manner consistent with the views expressed herein.

6/ The LECs' delays in modifying their switch software to recognize new area codes only confirm that requiring users to regularly update their PBX software to toll restrict new area codes would be a misguided policy.

Respectfully submitted,

AMERICAN PETROLEUM INSTITUTE

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